



1 should be granted because it is agreed, causes no prejudice, and is not made for the  
2 purposes of delay.  
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4 The Motion is based on this Notice, Memorandum, pleadings on file in this  
5 matter, and any other material which may properly come before the Court before  
6 or during any hearing on this Motion.  
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### 8 COMPLIANCE STATEMENT

9 This Motion is made following the conference of counsel pursuant to L.R.  
10 7-3 which took place on November 13, 2023.  
11

12 Dated: November 13, 2023

LYNN PINKER HURST &  
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**AGREED MOTION TO EXTEND TIME TO ANSWER  
OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

Defendant Dickey's Barbecue Restaurants, Inc.'s ("Dickey's") respectfully moves for an agreed extension of time for Dickey's to Answer or otherwise respond to Plaintiff's Complaint. On August 23, 2019, Plaintiff filed the instant lawsuit against Dickey's. Plaintiffs served Dickey's on October 6, 2023, making Dickey's original deadline to Answer or otherwise respond to the Complaint October 27, 2023.

Plaintiff and Dickey's previously agreed to a 14-day extension of time for Dickey's to Answer or otherwise respond to the Complaint,<sup>1</sup> which the Court granted on October 26, 2023. Dkt. 14. Plaintiff and Dickey's have further agreed to extend the time for Dickey's to Answer or otherwise respond to the Complaint until **December 1, 2023**. This extension is requested to allow the parties time to consider potential alternate avenues of litigating or resolving Plaintiff's claims outside of this without the use of additional judicial resources, and the extension is therefore made in good faith, for good cause, and not for dilatory purposes.

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<sup>1</sup> The 14-day extension ended on November 10, 2023; however, that date was the federal holiday of Veteran's Day. Therefore, the deadline for filing was Monday, November 13, 2023 by operation of Federal Rule of Civil Procedure 6(a)(1)(c).

1 Dated: November 13, 2023

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